

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

ERIC FLORES,

Plaintiff,

v.

US DEPARTMENT OF JUSTICE, *et al.*,

Defendants.

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CIVIL ACTION NO. 5:20-CV-00083-RWS

ORDER

Plaintiff Eric Flores, an inmate of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, filed this civil action complaining of alleged deprivations of his rights. This Court referred the case to the United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1) and (3) and the Amended Order for the Adoption of Local Rules for the Assignment of Duties to United States Magistrate Judges.

In his complaint, Flores alleged that several “corrupt officials” are using advanced technology linked to a satellite in outer space to calculate genetic codes so as to disrupt a person’s personality and senses, taking control of that person’s mind and causing the person to shoot and kill people. The Magistrate Judge issued a Report recommending that the lawsuit be dismissed as factually frivolous.

Flores filed objections stating that he is seeking relief from imminent danger, such as a terrorist attack which can result in the death of the public at large. He asserts that an attack is likely if this Court does not intervene in the interest of public health and safety. Flores’s objections confirm the correctness of the Magistrate Judge’s conclusion that the lawsuit is

factually frivolous. *See Ancar v. Sara Plasma Inc.*, 964 F.2d 465, 468 (5th Cir. 1992) (stating that a finding of factual frivolousness is appropriate where the facts alleged “rise to the level of the irrational or wholly incredible.”)

The Court has conducted a careful *de novo* review of those portions of the Magistrate Judge’s proposed findings and recommendations to which the Plaintiff objected. *See* 28 U.S.C. §636(b)(1) (District Judge shall “make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made”). Upon such *de novo* review, the Court has determined the Report of the Magistrate Judge is correct and the Plaintiff’s objections are without merit. It is accordingly

ORDERED that the Plaintiff’s objections are overruled and the Report of the Magistrate Judge (Docket No. 9) is **ADOPTED** as the opinion of the District Court. It is further

ORDERED that the above-styled civil action is **DISMISSED WITH PREJUDICE** for purposes of proceeding *in forma pauperis* as frivolous. It is further

ORDERED that all other claims for relief are **DENIED-AS-MOOT**.

So ORDERED and SIGNED this 26th day of October, 2020.


ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE